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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,789	09/29/2003	Chien-I Chiang	P08066US00/MP	9886
881	7590	03/10/2005	EXAMINER	
STITES & HARBISON PLLC 1199 NORTH FAIRFAX STREET SUITE 900 ALEXANDRIA, VA 22314			TRAN, HANH VAN	
			ART UNIT	PAPER NUMBER
			3637	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,789

Applicant(s)

CHIANG, CHIEN-I

Examiner

Hanh V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is the First Office Action on the Merits from the examiner in charge of this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2003/0085640 to Chan.

Chan discloses a cabinet structure comprising all the elements recited in the above listed claims including: a main frame including two vertical rods and two horizontal rods, forming a rectangular frame, each said vertical rod including a plurality of pin holes, at least one door being hinged to the main frame; a plurality of separation boards 6 each having a pin on each of two lateral sides thereof, each said pin being pivotally received in the respective pin hole of the respective vertical rod; two side plates 7, a plurality of vertically spaced supporting blocks being formed on each said vertical groove for supporting the separation boards, each said side plate including a top side having a plurality of engaging holes, a fastener 18 being partially engaged in each said engaging hole; a rear plate having 16 two lateral sides each of which is removably received in the vertical groove of the respective side plate 7 via a top side of the vertical groove

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of the respective side plate, and a top plate 17 removably mounted on top of the side plates and releasably engaged with the fasteners.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan in view of USP 3,425,763 to De Lynn.

Chan discloses a cabinet structure comprising all the elements recited in the above listed claims including: a main frame including two vertical rods and two horizontal rods, forming a rectangular frame, each said vertical rod including a plurality of pin holes, at least one door being hinged to the main frame; a plurality of separation boards 6 each having a pin on each of two lateral sides thereof, each said pin being pivotally received in the respective pin hole of the respective vertical rod; two side plates 7, a plurality of vertically spaced supporting blocks being formed on each said vertical groove for supporting the separation boards, each said side plate

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including a top side having a plurality of engaging holes, a fastener 18 being partially engaged in each said engaging hole; a rear plate having 16 two lateral sides each of which is removably received in the vertical groove of the respective side plate 7 via a top side of the vertical groove of the respective side plate, and a top plate 17 removably mounted on top of the side plates and releasably engaged with the fasteners. The different being that Chan does not disclose the horizontal rods each including a plurality of rails to receive a plurality of slidable doors therein, instead of the pivoted doors as disclosed by Chan.

De Lynn teaches that it is well known in the art to provide a foldable cabinet structure with horizontal rods each including a plurality of rails to receive a plurality of slidable doors therein. Therefore, it would have been obvious to modify the structure of Chan by providing horizontal rods each with a plurality of rails to receive a plurality of slidable doors therein, as taught by De Lynn, since both teach alternate conventional door structure, used for the same intended purpose, thereby providing structure as claimed.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bissu-Palombo, Brown et al '419, MacDonald et al, Brown et al '098, Chapin, MacDonald '011, Yamawaki et al, and Pearce et al all show structures similar to various elements of applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh V. Tran whose telephone number is (703) 308-6302. The examiner can normally be reached on Monday-Thursday, and alternate Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (703) 308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HVT

March 07, 2005



Hanh V. Tran

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